

CALENDAR
for
REGULAR MEETING OF THE COUNCIL
of the
CITY OF LONG BEACH
held
NOVEMBER 17, 2015

1. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 225 East Park Avenue (street floor), Long Beach, New York.
Re: Laundromat
2. Resolution Authorizing Publication of a Notice of Public Hearing of an Application to Waive the Off-Street Parking Requirements for Premises: 227 East Park Avenue (street floor), Long Beach, New York.
Re: Nutritional Supplements/Smoothie Shop
3. Resolution Authorizing the City Manager to Enter into an Agreement with ShotSpotter Flex Gunfire Alert and Analysis System and to Amend the Budget.

Legislative Memo: This is the second step in the implementation of this system. ShotSpotter is a state of the art law enforcement tool designed to provide law enforcement agencies with the benefit of real-time gunshot alerts that identify the location where a gunshot incident occurred, obtain situational intelligence of what transpired, reduce law enforcement response times, and act as a deterrent to gun violence. Funding in the full amount is provided through an Inter-Municipal Agreement with the County of Nassau.

4. Resolution Authorizing the City Manager to Enter into a Contract for the Rehabilitation of the Sand Filter, Sand Filter Building and Sand Filter Lift Station at the Wastewater Treatment Plant with the Lowest Responsible Bidder.

Legislative Memo: These structures were severely damaged by Superstorm Sandy as they were completely inundated with flood waters. The Sand Filter and the Lift Station are part of the Wastewater Treatment Plant that move and remove solids from the effluent prior to discharge. Funding for this rehabilitation is being provided through public assistance grant monies from FEMA.

5. Resolution Authorizing the City Manager to Amend the Current Agreement for Engineering Services in Conjunction with the Rehabilitation of the Sand Filter and Filter Building at the Wastewater Treatment Plant.

Legislative Memo: This amendment is for the work to be performed affecting Item No. 4. Funding for this rehabilitation is being provided through public assistance grant monies from FEMA.

6. Resolution Authorizing the City Manager to Enter into a Contract for the Construction of a New Dechlorination Facility with the Lowest Responsible Bidder.

Legislative Memo: This construction is required in order to keep the City's Sewer Plant in compliance with new DEC Regulations. Funding is provided through the Capital Improvement Plan.

7. Resolution Authorizing the Retention of Albrecht, Viggiano, Zureck & Company, P.C. as Independent Auditors for the Fiscal Years Ending June 30, 2015, 2016 and 2017.

Legislative Memo: The City received eight responses to its RFP. After the RFP was scored, the City interviewed two finalists. This firm was deemed the best to meet the City's needs and has worked successfully with the City.

8. Resolution Authorizing the City Manager to Purchase an Ice Re-Surfacers from the Sole Responsible Bidder and Transfer Funds.

Legislative Memo: The existing machine, which uses propane gas, is 21 years old and has outlived its useful life. This new, environmentally friendly Zamboni is powered by batteries, which are warranted for five years. Funding is provided through the Capital Improvement Program.

9. Resolution Authorizing Settlement of an Action Brought by Pierre Sanchez Against the City of Long Beach, et al.

Legislative Memo: This resolution authorizes the Corporation Counsel to settle the action with Plaintiff.

November 17, 2015

Item No. 1
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication of a Notice of Public
Hearing of an Application to Waive the Off-Street Parking
Requirements for Premises: 225 East Park Avenue (street
floor), Long Beach, New York.

WHEREAS, there has been presented to this Council an application pursuant to Section 9-112(18)(c) of Appendix A (Zoning Law) of the Long Beach Code of Ordinances, for waiver of off-street parking requirements for the premises located at 225 East Park Avenue (street floor), Long Beach, New York (Section 59, Block 124, Lot 14) between Monroe and Long Beach Boulevards, having frontage of 20 feet, on behalf of the owner Benito Ferranti, c/o West Park Holdings, 2700 Two Brothers Court, Oceanside, New York 11572 to be used as a Laundromat;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that a public hearing will be had before this Council upon said application at City Hall, 1 West Chester Street, in the City of Long Beach, New York, on December 1, 2015 at 7:00 p.m. on that date; and be it further

RESOLVED, that the City Clerk be and he hereby is authorized to cause a notice of said hearing to be published in the official newspaper of the City of Long Beach.

November 17, 2015

Item No. 2
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Publication of a Notice of Public
Hearing of an Application to Waive the Off-Street Parking
Requirements for Premises: 227 East Park Avenue (street
floor), Long Beach, New York.

WHEREAS, there has been presented to this Council an application pursuant to Section 9-112(18)(c) of Appendix A (Zoning Law) of the Long Beach Code of Ordinances, for waiver of off-street parking requirements for the premises located at 227 East Park Avenue (street floor), Long Beach, New York (Section 59, Block 124, Lot 16) between Monroe and Long Beach Boulevards, having frontage of 20 feet, on behalf of the owner Benito Ferranti, c/o West Park Holdings, 2700 Two Brothers Court, Oceanside, New York 11572 to be used as a Nutritional Supplements/Smoothie Shop;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that a public hearing will be had before this Council upon said application at City Hall, 1 West Chester Street, in the City of Long Beach, New York, on December 1, 2015 at 7:00 p.m. on that date; and be it further

RESOLVED, that the City Clerk be and he hereby is authorized to cause a notice of said hearing to be published in the official newspaper of the City of Long Beach.

November 17, 2015

Item No. 3
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into
an Agreement with ShotSpotter Flex Gunfire Alert and
Analysis System and to Amend the Budget.

WHEREAS, pursuant to Resolution No. 81/15, duly adopted on July 21, 2015, the
County of Nassau pledged to allocate Community Revitalization Development funds in the
amount of \$500,000.00 to the City of Long Beach, through an inter-municipal agreement; and

WHEREAS, the Police Department desires to use said monies to purchase and
install the ShotSpotter System, a state of the art law enforcement tool designed to provide law
enforcement agencies with the benefit of real-time gunshot alerts that identify the location where
a gunshot incident occurred, obtain situational intelligence of what transpired, reduce law
enforcement response times, and act as a deterrent to gun violence;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York, that the
City Manager be and he hereby is authorized to enter into an agreement with ShotSpotter Flex,
7979 Gateway Blvd., Suite 210, Newark, California 94560 for the purchase and installation of
the ShotSpotter System. Funds will be available in Account No. H1016.52328 (Police Equip.-
ShotSpotter) after the following amendment to the budget:

Increase Estimated Revenues:	H10510	\$500,000.00
H0027.42770	Other Unclassified Revenue	\$500,000.00
Increase Appropriations:	H20960	\$500,000.00
H1016.52328	Police Equip.-ShotSpotter	\$500,000.00

November 17, 2015

Item No. 4
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into a
Contract for the Rehabilitation of the Sand Filter, Sand Filter
Building and Sand Filter Lift Station at the Wastewater
Treatment Plant with the Lowest Responsible Bidder.

WHEREAS, due to Superstorm Sandy, the City's Sand Filter, Sand Filter
Building and Sand Filter Lift Station at the Wastewater Treatment Plant, all sustained significant
damage as they were inundated with flood waters; and

WHEREAS, after due advertisement therefore, two bids were received in the
Office of the Commissioner of Public Works on Thursday, November 5, 2015 for the complete
rehabilitation of the above facilities, as well as the replacement of the Hypochlorite Storage
Tanks; and

WHEREAS, Philip Ross Industries, Inc., 200 Long Island Avenue, Wyandanch,
New York 11798 was the lowest responsible bidder at a cost of \$1,970,000;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
City Manager be and he hereby is authorized to enter into a contract with Philip Ross Industries,
Inc., 200 Long Island Avenue, Wyandanch, New York 11798 for the complete rehabilitation of
the City's Sand Filter, Sand Filter Building and Sand Filter Lift Station, and replacement of the
Hypochlorite Storage Tanks at the Wastewater Treatment Plant, in accordance with plans and
specifications on file in the Office of the Commissioner of Public Works, at a cost of \$1,970,000.
Funds are available in Account No. P1000.52220 (Sandy FEMA-Machinery & Equipment).

November 17, 2015

Item No. 5
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Amend the
Current Agreement for Engineering Services in Conjunction
With the Rehabilitation of the Sand Filter and Filter Building
At the Wastewater Treatment Plant.

WHEREAS, pursuant to Resolution No. 153/14, duly adopted by the City Council on November 5, 2014, the City entered into an agreement with Cameron Engineering, 100 Sunnyside Boulevard, Woodbury, New York 11797 for engineering services in conjunction with the rehabilitation of the Sand Filter and Filter Building at the Wastewater Treatment Plant; and

WHEREAS, additional work is required to prepare detailed engineering drawings for the removal of a portion of the chlorine storage tank as well as design work for the restoration of the brick and block, at a cost of \$37,500; and

WHEREAS, the original design costs were \$200,000 and funding was derived from the Capital Improvement Plan, however, the damage sustained at this structure was caused by Superstorm Sandy and that funding shall be provided through FEMA;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and he hereby is authorized to amend the agreement with Cameron Engineering, 100 Sunnyside Boulevard, Woodbury, New York 11797 for additional engineering services in conjunction with the rehabilitation of the Sand Filter and Filter Building at the Wastewater Treatment Plant, at a cost of \$37,500. Funds are available in Account No. P1000.54453 (Sandy FEMA – Consultants).

November 17, 2015

Item No. 6
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Enter into a
Contract for the Construction of a New Dechlorination Facility
with the Lowest Responsible Bidder and to Transfer Funds.

WHEREAS, after due advertisement therefore, four bids were received in the
Office of the Commissioner of Public Works on Thursday, November 5, 2015 for the
construction of a new Sodium Bisulfite Dechlorination Facility to reduce Wastewater Treatment
Plant total residual chlorine into the estuary, as required by the New York State Department of
Environmental Conservation; and

WHEREAS, said construction shall consist of erecting a pre-fabricated building
and associated processes that will result in the injection of sodium bisulfate into the effluent in
order to reduce the amount of chlorine that enters Reynolds Channel; and

WHEREAS, Bensin Contracting, Inc., 652 Union Avenue, Holtsville, New York
11742 was the lowest responsible bidder at a cost of \$998,000;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
City Manager be and he hereby is authorized to enter into a contract with Bensin Contracting,
Inc., 652 Union Avenue, Holtsville, New York 11742 for the construction of a new Sodium
Bisulfite Dechlorination Facility, in accordance with plans and specifications on file in the Office
of the Commissioner of Public Works, at a cost of \$998,000. Funds will be available in Account
No. H3016.52318 (WWTP-Dechlorination) after the following transfer is approved:

<u>Budget Code</u>	<u>Description</u>	<u>Transfer From:</u>	<u>Transfer To:</u>
H3000.53047	WWTP- Indiana Lift Station	\$50,000.00	
H3000.53048	WWTP- Hypochlorite Tanks	\$48,000.00	
H3016.52318	WWTP- Dechlorination		\$98,000.00

November 17, 2015

Item No. 7
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the Retention of Albrecht, Viggiano,
Zureck & Company, P.C. as Independent Auditors for the
Fiscal Years Ending June 30, 2015, 2016 and 2017.

WHEREAS, after advertising therefore, eight proposals were received in the Office of the City Purchasing Agent on Friday, July 14, 2015 for professional auditing and accounting services as per specifications on file in the Office of the City Purchasing Agent; and

WHEREAS, the City of Long Beach is required by the Federal Single Audit Act of 1984 and the provisions of OMB Circular A-133 to have an annual audit of the financial statements of their entity and additional compliance, internal control and other audit and reporting requirements to the federal programs; and

WHEREAS, the City believes that the opinion rendered by an independent auditor assists the City in evaluating its financial position and presenting its financial statement in conformity with Generally Accepted Auditing Standards in the United States (GAS) and the Generally Accepted Government Auditing Standards (GAGAS) issued by the Comptroller General of the United States; and

WHEREAS, the firm of Albrecht, Viggiano, Zureck & Company, P.C., 25 Suffolk Court, Hauppauge, New York 11788 submitted the proposal that best meets the needs and desires of the City of Long Beach for professional auditing and accounting services;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the City Manager be and he hereby is authorized to enter into an agreement with Albrecht, Viggiano, Zureck & Company, P.C., 25 Suffolk Court, Hauppauge, New York 11788, engaging said firm as independent auditors at a cost of \$100,000 for the fiscal year audit ending June 30, 2015, \$102,000 for fiscal year audit ending June 30, 2016 and \$104,000 for fiscal year audit ending June 30, 2017, with one two-year option to renew. Funds are available in Account No. A1315.54452 (City Comptroller – Auditing Fees); and be it further

RESOLVED, that said agreement shall contain such other provisions as the City Manager may deem proper.

November 17, 2015

Item No. 8
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing the City Manager to Purchase
an Ice Re-Surfacer from the Sole Responsible Bidder
and Transfer Funds.

WHEREAS, after due advertisement therefore, one bid was received in
the Office of the City Purchasing Agent on Thursday, September 10, 2015 at 11:30 a.m. for the
purchase of an ice re-surfacer for the Long Beach Ice Arena; and

WHEREAS, J & C Ice Technologies, 180 Gold Mine Road, Unit 5, Flanders, NJ
07836 was the sole responsible bidder for a Zamboni Model #552, with a 2,000 hour or two year
warranty and parts replacement only, as well as a five year warranty on the batteries through the
manufacturer, at a cost of \$142,270;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the
City Manager be and he hereby is authorized to purchase an ice re-surfacer for the Ice Arena
from J & C Ice Technologies, 180 Gold Mine Road, Unit 5, Flanders, NJ 07836, at a cost of
\$142,270. Funds will be available in Account No. H1016.52309 (Recreation-Purchase Zamboni)
after the following transfer of funds is approved:

<u>Budget Code</u>	<u>Description</u>	<u>Transfer From:</u>	<u>Transfer To:</u>
H1015.52275	Recreation-Shower Stands	\$17,270.00	
H1016.52309	Recreation-Purchase Zamboni		\$17,270.00

November 17, 2015

Item No. 9
Resolution No.

The following Resolution was moved by
and seconded by :

Resolution Authorizing Settlement of an Action Brought by
Pierre Sanchez Against the City of Long Beach, et al.

WHEREAS, on or about November 19, 2014, Pierre Sanchez, as Plaintiff, represented by Talkin, Muccigrosso & Roberts LLP, 40 Exchange Place, New York, New York 10005 filed a civil action against the City of Long Beach, in the United States District Court for the Eastern District of New York, for damages arising from personal injuries allegedly sustained by the Plaintiff, and attorney's fees; and

WHEREAS, pursuant to order of the Court, the parties appeared at several settlement conferences before the Magistrate Judge Gary Brown, who recommended that the matter be settled before trial; and

WHEREAS, the attorneys on behalf of the City reviewed said action and have negotiated an agreement to compromise and settle all claims and demands of the Plaintiff against the City for the sum of \$49,500, which sum said attorneys for the City have recommended as reasonable settlement of the claim of the Plaintiff, and which the City is obligated to pay as a condition of settlement;

NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the Corporation Counsel be and he hereby is authorized to settle the above referenced action entitled "Pierre Sanchez against the City of Long Beach, et al.", for the sum of \$49,500 in settlement of all claims of said Plaintiff, including Plaintiff's claims in the United States District Court for the Eastern District of New York No. 14-cv-6816, inclusive of costs and attorneys' fees, and the City Comptroller is hereby authorized to pay \$49,500 to the Plaintiff in full payment of the City's settlement upon the Corporation Counsel's execution of said settlement. Funds are available in Account No. C1930.54434 (Judgments and Claims-Insurance Reserve).